

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

**CASE NO. 04-10414RCL**

COMCAST OF GEORGIA/MASSACUSETTS, )  
INC. and COMCAST OF MIDDLETOWN, INC. )  
And COMCAST OF BOSTON, INC. and )  
COMCAST OF CALIFORNIA/MASSACHUSETTS/ )  
MICHIGAN/UTAH, INC. and COMCAST OF ) **DEFENDANTS'**  
MAINE/NEW HAMPSHIRE, INC. and COMCAST ) **ANSWER**  
OF MASSACHUSETTS I, INC. and COMCAST )  
OF MASSACHUSETTS II, INC. and COMCAST )  
OF MASSACHUSETTS III, INC. and COMCAST )  
OF MASSACHUSETTS/NEW HAMPSHIRE/ )  
OHIO, INC. and COMCAST OF NEW )  
HAMPSHIRE, INC., Plaintiffs )  
vs. )  
JOSEPH AMARO, DIMAS AMARO, and )  
JOSEPH AMARO and DIMAS AMARO, JOINTLY, )  
d.b.a. CALEJOINT and D'S ELECTRONICS, )  
Defendants )

1. The Defendants deny the allegations contained in ¶1 of the Plaintiffs' complaint.
2. The Defendants deny the allegations contained in ¶2 of the Plaintiffs' complaint.
3. The Defendants are without sufficient information to either admit or deny the

allegations contained in ¶3 of the Plaintiffs' Complaint and call upon the Plaintiffs to prove same.

4. The Defendants are without sufficient information to either admit or deny the allegations contained in ¶4 of the Plaintiffs' Complaint and call upon the Plaintiffs to prove same.
5. The Defendants are without sufficient information to either admit or deny the allegations contained in ¶5 of the Plaintiffs' Complaint and call upon the Plaintiffs to prove same.
6. The Defendants are without sufficient information to either admit or deny the allegations contained in ¶6 of the Plaintiffs' Complaint and call upon the Plaintiffs to prove same.
7. The Defendants are without sufficient information to either admit or deny the allegations contained in ¶7 of the Plaintiffs' Complaint and call upon the Plaintiffs to prove same.
8. The Defendants are without sufficient information to either admit or deny the allegations contained in ¶8 of the Plaintiffs' Complaint and call upon the Plaintiffs to prove same.
9. The Defendants are without sufficient information to either admit or deny the allegations contained in ¶9 of the Plaintiffs' Complaint and call upon the Plaintiffs to prove same.
10. The Defendants are without sufficient information to either admit or deny the allegations contained in ¶10 of the Plaintiffs' Complaint and call upon the Plaintiffs to prove same.

11. The Defendants are without sufficient information to either admit or deny the allegations contained in ¶11 of the Plaintiffs' Complaint and call upon the Plaintiffs to prove same.
12. The Defendants are without sufficient information to either admit or deny the allegations contained in ¶12 of the Plaintiffs' Complaint and call upon the Plaintiffs to prove same.
13. The Defendants admit the allegations contained in ¶13 of the Plaintiffs' Complaint.
14. The Defendants admit the allegations contained in ¶14 of the Plaintiffs' Complaint.
15. The Defendants deny that any cause of action lies pursuant to the cited statutes.
16. The Defendants deny that there is any cause of action giving rise to the jurisdiction and venue of this Honorable Court.
17. The Defendants are without sufficient information to either admit or deny the allegations contained in ¶17 of the Plaintiffs' Complaint and call upon the Plaintiffs to prove same.
18. The Defendants are without sufficient information to either admit or deny the allegations contained in ¶18 of the Plaintiffs' Complaint and call upon the Plaintiffs to prove same.
19. The Defendants are without sufficient information to either admit or deny the allegations contained in ¶19 of the Plaintiffs' Complaint and call upon the Plaintiffs to prove same.
20. The Defendants are without sufficient information to either admit or deny the allegations contained in ¶20 of the Plaintiffs' Complaint and call upon the Plaintiffs to prove same.

21. The Defendants are without sufficient information to either admit or deny the allegations contained in ¶21 of the Plaintiffs' Complaint and call upon the Plaintiffs to prove same.
22. The Defendants are without sufficient information to either admit or deny the allegations contained in ¶22 of the Plaintiffs' Complaint and call upon the Plaintiffs to prove same.
23. The Defendants deny the allegations contained in ¶23 of the Plaintiffs' Complaint.
24. The Defendants deny the allegations contained in ¶24 of the Plaintiffs' Complaint.
25. The Defendants deny the allegations contained in ¶25 of the Plaintiffs' Complaint.
26. The Defendants deny the allegations contained in ¶26 of the Plaintiffs' Complaint.
27. The Defendants deny the allegations contained in ¶27 of the Plaintiffs' Complaint.
28. The Defendants deny the allegations contained in ¶28 of the Plaintiffs' Complaint.
29. The Defendants deny the allegations contained in ¶29 of the Plaintiffs' Complaint.
30. The Defendants deny the allegations contained in ¶30 of the Plaintiffs' Complaint.
31. The Defendants deny the allegations contained in ¶31 of the Plaintiffs' Complaint.
32. The Defendants deny the allegations contained in ¶32 of the Plaintiffs' Complaint.
33. The Defendants deny the allegations contained in ¶33 of the Plaintiffs' Complaint.
34. The Defendants restate their answers to ¶¶ 1-33 above
35. The Defendants are without sufficient information to either admit or deny the allegations contained in ¶35 of the Plaintiffs' Complaint and call upon the Plaintiffs to prove same.
36. The Defendants deny the allegations contained in ¶36 of the Plaintiffs' Complaint.
37. The Defendants deny the allegations contained in ¶37 of the Plaintiffs' Complaint.

38. The Defendants restate their answers to ¶¶ 1-37 above
39. The Defendants deny the allegations contained in ¶39 of the Plaintiffs' Complaint.
40. The Defendants deny the allegations contained in ¶40 of the Plaintiffs' Complaint.
41. The Defendants deny the allegations contained in ¶41 of the Plaintiffs' Complaint.
42. The Defendants deny the allegations contained in ¶42 of the Plaintiffs' Complaint.
43. The Defendants deny the allegations contained in ¶43 of the Plaintiffs' Complaint.
44. The Defendants restate their answers to ¶¶ 1-43 above
45. The Defendants deny the allegations contained in ¶45 of the Plaintiffs' Complaint.
46. The Defendants deny the allegations contained in ¶46 of the Plaintiffs' Complaint.
47. The Defendants deny the allegations contained in ¶47 of the Plaintiffs' Complaint.
48. The Defendants deny the allegations contained in ¶48 of the Plaintiffs' Complaint.
49. The Defendants deny the allegations contained in ¶49 of the Plaintiffs' Complaint.
50. The Defendants restate their answers to ¶¶ 1-49 above
51. The Defendants deny the allegations contained in ¶51 of the Plaintiffs' Complaint.
52. The Defendants deny the allegations contained in ¶52 of the Plaintiffs' Complaint.
53. The Defendants deny the allegations contained in ¶53 of the Plaintiffs' Complaint.
54. The Defendants restate their answers to ¶¶ 1-53 above
55. The Defendants deny the allegations contained in ¶55 of the Plaintiffs' Complaint.
56. The Defendants deny the allegations contained in ¶56 of the Plaintiffs' Complaint.
57. The Defendants deny the allegations contained in ¶57 of the Plaintiffs' Complaint.
58. The Defendants restate their answers to ¶¶ 1-57 above
59. The Defendants deny the allegations contained in ¶59 of the Plaintiffs' Complaint.
60. The Defendants deny the allegations contained in ¶60 of the Plaintiffs' Complaint.

61. The Defendants deny the allegations contained in ¶61 of the Plaintiffs' Complaint.
62. The Defendants restate their answers to ¶¶ 1-61 above
63. The Defendants deny the allegations contained in ¶63 of the Plaintiffs' Complaint.
64. The Defendants deny the allegations contained in ¶64 of the Plaintiffs' Complaint.
65. The Defendants restate their answers to ¶¶ 1-64 above
66. The Defendants deny the allegations contained in ¶66 of the Plaintiffs' Complaint.
67. The Defendants deny the allegations contained in ¶67 of the Plaintiffs' Complaint.
68. The Defendants deny the allegations contained in ¶68 of the Plaintiffs' Complaint.
69. The Defendants deny the allegations contained in ¶69 of the Plaintiffs' Complaint.
70. The Defendants deny the allegations contained in ¶70 of the Plaintiffs' Complaint.
71. The Defendants deny the allegations contained in ¶71 of the Plaintiffs' Complaint.
72. The Defendants restate their answers to ¶¶ 1-71 above
73. The Defendants deny the allegations contained in ¶73 of the Plaintiffs' Complaint.
74. The Defendants deny the allegations contained in ¶74 of the Plaintiffs' Complaint.
75. The Defendants deny the allegations contained in ¶75 of the Plaintiffs' Complaint.
76. The Defendants deny the allegations contained in ¶76 of the Plaintiffs' Complaint.
77. The Defendants deny the allegations contained in ¶77 of the Plaintiffs' Complaint.

#### **FIRST AFFIRMATIVE DEFENSE**

There is no federal question invoking the jurisdiction of this Honorable Court

#### **SECOND AFFIRMATIVE DEFENSE**

This Honorable Court lacks jurisdiction due to lack of diversity of citizenship.

#### **THIRD AFFIRMATIVE DEFENSE**

This Honorable Court lacks jurisdiction because the Plaintiffs' Complaint does

not justify the jurisdictional amount pursuant to 28 U.S.C. §1332.

**FOURTH AFFIRMATIVE DEFENSE**

The actions of the Defendants in the instant matter were privileged and permitted by law.

**FIFTH AFFIRMATIVE DEFENSE**

Process in the instant matter is insufficient.

**SIXTH AFFIRMATIVE DEFENSE**

Process in the instant matter is insufficiently served.

**SEVENTH AFFIRMATIVE DEFENSE**

The Plaintiffs are not parties in interest and lack standing to assert the claims asserted.

**EIGHTH AFFIRMATIVE DEFENSE**

The Plaintiffs assert claims for which relief cannot be granted.

WHEREFORE, the Defendants demand that the instant action be dismissed, with costs.

JOSEPH AMARO

DIMAS AMARO

By their attorney,

A handwritten signature in black ink, appearing to read "Jordan H. F. Fiore", with a stylized flourish at the end.

Jordan H. F. Fiore

BBO#166800

One Taunton Green

P. O. Box 2331

Taunton, MA 02780

(508)821-9491

May 18, 2004



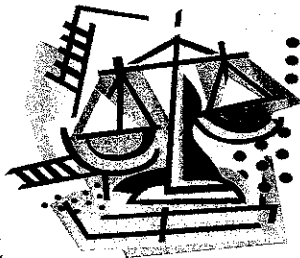
**CERTIFICATE OF SERVICE**

I hereby certify that I have served a copy of the foregoing answer on plaintiffs' counsel by mailing a copy of same, first class postage prepaid, to John M. McLaughlin, Esquire, McLaughlin Sacks, LLC, 31 Trumbull Road, Northampton, MA 01060.

A handwritten signature in black ink, appearing to read "Jordan H. F. Fiore", is written over a horizontal line.

Jordan H. F. Fiore

May 18, 2004



**JORDAN H. F. FIORE**  
**ATTORNEY AT LAW**

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FILED  
CLERK'S OFFICE  
MAY 19 2004  
U.S. DISTRICT COURT  
DISTRICT OF MASS.

May 18, 2004

Clerk's Office  
United States District Court  
John Joseph Moakley U. S. Courthouse  
1 Courthouse Way  
Boston, MA 02210

Re: Comcast of Georgia/MA, Inc. et ali v. Joseph Amaro et ali, Civil Action No. 04-10414RCL

To whom it may concern:

Herewith please find for filing Defendants' Answer in the above-entitled matter, together with Certificate of Service.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jordan H. Fiore". The signature is fluid and cursive, with a prominent "J" and "F".

Jordan H. F. Fiore